

## EXHIBIT 2-B

### Sample Format for Environmental Reviews

#### **CONSIDERATION OF OTHER APPLICABLE LAWS AND AUTHORITIES**

Project, ( Physical description and location of project ),

undertaken by ( name of HOME Grantee ),

has been determined to be categorically excluded from an environmental assessment in accordance with the National Environmental Policy Act (NEPA).

This format records the consideration of the criteria, standards, policies and statutes set forth in 24 CFR, Part 58.5 as follows:

(a) Historic Properties.

(1) The National Historic Preservation Act of 1966 (16 U.S.C. 470 et seq.) as amended; particularly sections 106 and 110 (16 U.S.C. 470f and 470h-2).

(2) Executive Order 11593, Protection and Enhancement of the Cultural Environment, May 13, 1971 (36 FR 8921 et seq.); particularly section 2(c).

(3) The Reservoir Salvage Act of 1960 (16 U.S.C. 469 et seq.); particularly section 3 (16 U.S.C. 469a-1); as amended by the Archaeological and Historic Preservation Act of 1974.

(b) Floodplain Management and Wetland Protection.

(1) Executive Order 11988, Floodplain Management Act, May 24, 1977 (42 FR 26951 et seq.); particularly section 2a).

(2) Executive Order 11990, Protection of Wetlands, May 24, 1977 (42 FR 26961 et seq.); particularly sections 2 and 5.

(c) Coastal Zone Management.

Not applicable in HUD Region VIII.

(d) Sole Source Aquifers.

(1) The Safe Water Drinking Act of 1974 (42 U.S.C. 201, 300 (f) et seq., And 21 U.S.C. 349) as amended; particularly section 1424 (e) (42 U.S.C. 300h-3(e)).

(2) Sole source aquifers (Environmental Protection Agency - 40 CFR part 149).

(e) Endangered Species.

(1) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) as amended; particularly section 7 (16 U.S.C. 1536).

(f) Wild and Scenic Rivers.

- (1) The Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) as amended; particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c)).

(g) Air Quality.

- (1) The Clean Air Act (42 U.S.C. 7401 et seq.) as amended; particularly section 176 (c) and (d) (42 U.S.C. 7506 (c) and (d)).

- (2) Determining conformity of Federal Actions to State or Federal Implementation plans (Environmental Protection Agency - 40 CFR parts 6, 51, and 93).

(h) Farmlands Protection.

- (1) Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.) particularly sections 1540(b) and 1541 (7 U.S.C. 4201(b) and 4202).

- (2) Farmland Protection Policy (Department of Agriculture - 7 CFR part 658).

(I) HUD Environmental Standards. 24 CFR, Part 51, Environmental Criteria and Standards.

(1) Noise Abatement and Control.

(2) Citing of HUD assisted projects near hazardous operations handling conventional fuels or chemicals of an explosive or flammable nature.

(3) Citing of HUD assisted projects in runway clear zones at civil airports and clear zones and accident potential at military airfields:

(J) Environmental Justice.

(1) Executive Order 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, February 11, 1994 (59 FR 7629), 3 CFR, 1994 Comp. P. 859.

The Responsible Entity has compared the project with the above cited laws and authorities and concludes that:

- \_\_\_\_\_ No circumstances exist where any of the Federal laws and authorities requires compliance. The project has therefore been determined to be exempt under 24 CFR, Part 58.34.
- \_\_\_\_\_ One or more laws or authorities require compliance. Specific review for each law and authority requiring compliance has been completed and documented in the ERR. A NOI/RROF and a RROF is attached.
- \_\_\_\_\_ "Extraordinary circumstances" as defined under §58.2(a)(3) have been identified and require completion of an Environmental Assessment.

Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_